

03-03-03

1763



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A LIMITED LIABILITY PARTNERSHIP



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Holland, et al.

Serial No.: 09/758,067

Confirmation No.: 7121

Filed: January 10, 2001

For: NONABRASIVE MEDIA WITH ACCELERATED
CHEMISTRY

Group Art Unit: 1763

Examiner: R. Culbert

Atty. Dkt. No.: 12350.0008.NPUS00

Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO NON-FINAL OFFICE ACTION

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NUMBER EL 830943827 US
DATE OF DEPOSIT 2-29-03

I hereby certify that this paper or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to: Commissioner for Patents, Washington D.C. 20231.

Signature 

INTRODUCTORY COMMENTS:

The following is in response to the Office Action dated December 2, 2002:

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TC 1700 MAIL ROOM

IN RESPONSE TO THE OFFICE ACTION:

REJECTIONS

Claim 7 was rejected under 35 U.S.C. §112, second paragraph as allegedly being indefinite for failing to particularly point out the Applicant's invention.

Claims 1, 4, 7 and 9-11 have been rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 4,818,333 issued to Michaud, et al. (the '333 reference).

Claims 5 and 6 have been rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over the '333 reference in view of U.S. Patent No. 3,684,466 issued to Petrone (the '466 reference).

Claims 5 and 6 have been rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over the '333 reference in view of U.S. Patent No. 4,307,544 issued to Balz (the '544 reference).

Applicants have cancelled each of claims 1-7, and therefore assert that the above rejections are moot. However, Applicants would like to point out to the Examiner how the currently pending claims are distinguishable over the cited references.

A review of new independent claims 22 and 45 show that the claims are virtually identical, except that independent claim 22 is directed toward the use of a non-abrasive plastic media, whereas independent claim 45 is directed toward the use of a non-abrasive metal media.

In comparison, the '333 reference does not disclose the use of non-abrasive soft plastic or metal media. Only the use of hard, high density non-abrasive ceramic media is disclosed in the '333 reference, not the softer non-abrasive plastic and non-abrasive metal media claimed in the present patent application. Thus, the '333 reference does not anticipate the currently pending claims. Furthermore, the '466 reference and the '544 reference both disclose using abrasive media, and therefore do not either anticipate or, in combination with the '333 reference, render obvious the currently pending claims.

The undersigned representative requests any extension of time that may be deemed necessary to further the prosecution of this application.

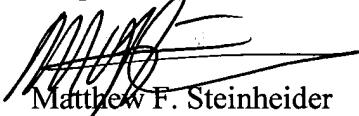


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The undersigned representative authorizes the Commissioner to charge any additional fees under 37 C.F.R. 1.16 or 1.17 that may be required, or credit any overpayment, to Deposit Account No. 01-2508, referencing Order No. 12350.0008.NPUS00.

In order to facilitate the resolution of any issues or questions presented by this paper, the Examiner should directly contact the undersigned by phone to further the discussion.

Respectfully submitted,


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Date: 2/28/03